

REMARKS

The application has been amended and is believed to be in condition for allowance. This amendment is made in response to the Final Rejection posted December 17, 2008.

The indication that claims 11 and 18 would be allowed if amended into independent form is gratefully acknowledged.

Claims 1-9, 14-17, and 19-20 remain in this application. Claims 11, 13, and 18 are canceled without prejudice.

Based on the indication of allowable subject matter, independent claims 1 and 17 are amended to incorporate the subject matter of dependent claims 11 and 18, respectively, in order to overcome the rejection under section 103 detailed below.

Dependent claim 19 is amended to overcome the rejection under section 112, second paragraph.

Claims 1-9, 14-17, and 19 are further amended with non-substantive, formal revisions in consideration of U.S. practice and preferences.

No new matter is introduced by way of these amendments to the claims.

As the foregoing amendments are either formal in nature, or responsive to the Official Action's indication of allowable subject matter, entry of all the amendments to the claims is earnestly solicited.

Formal Matters

The Official Action rejected claim 19 under 35 USC 112, second paragraph as being indefinite with respect to the recitation of "the isotropic crystal".

In reply, claim 19 is amended to recite an isotropic medium, the antecedent for which appears in the parent claim 17.

Withdrawal of the rejection of claim 19 under section 112 is respectfully requested.

Substantive Rejections

The Official Action rejected claims 1 and 5-9 under 35 USC 103(a) as being unpatentable over Shichijyo et al. (US Patent 5,809,048; "SHICHIJYO") in view of Nettleton et al. (US Patent 6,373,865; "NETTLETON"), and further in view of Dixon et al. (US Patent 4,884,276; "DIXON").

The Official Action rejected claims 2-4 and 14-16 under 35 USC 103(a) as being unpatentable over SHICHIJYO in view of NETTLETON and DIXON as applied to claim 1, and further in view of Bacher et al. (US Patent 7,065,109; "BACHER") according to the previous Official Action.

The Official Action rejected claim 13 under 35 USC 103(a) as being unpatentable over SHICHIJYO in view of NETTLETON and DIXON, and further in view of Okazaki et al. (US Patent 5,588,014; "OKAZAKI").

The Official Action rejected claims 17, 19-20 under 35 USC 103(a) as being unpatentable over SHICHIJO in view of NETTLETON and further in view of DIXON.

In response to the Official Action's rejections under section 103, claims 1 and 17 are amended, as set forth above, in accordance with the Official Action's indication of allowable subject matter.

Claims 1 and 17, as amended, are thereby believed to be in allowable condition.

Accordingly, it is respectfully submitted that claims 1 and 17 are patentable over the cited references, and further that the claims depending from claims 1 and 17, respectively, are patentable for depending from a patentable parent claim.

Reconsideration and allowance of the claims are respectfully requested.

From the foregoing, it will be apparent that applicants have fully responded to the December 17, 2008 Official Action and that the claims as presented are patentable. In view of this, applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicants at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Jeremy G. Mereness/
Jeremy G. Mereness, Reg. No. 63,422
209 Madison Street
Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JGM/